

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOBBY LEE,

Plaintiff,

v.

M. COLLIER, et al.,

Defendants.

No. 06-03847 CW

ORDER DISMISSING
CLAIM AGAINST
DEFENDANT DENNING

On July 31, 2007, the Court issued an Order Granting Plaintiff's Request for Extension of Time to File Amended Complaint as to Claim Against Defendant Denning. The Court gave Plaintiff until August 13, 2007, to amend his complaint. Failure to do so would result in dismissal of the claim against Defendant Denning without prejudice. The time to file the amended complaint has passed, and Plaintiff has failed to amend his complaint. Accordingly,

IT IS HEREBY ORDERED that the claim against Salinas Valley State Prison Correctional Officer Marshall E. Denning is dismissed without prejudice.

8/24/07

Dated _____



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BOBBY LEE,

Plaintiff,

v.

M. COLLIER et al,

Defendant.

Case Number: CV06-03847 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 24, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

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Dated: August 24, 2007

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk